

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:05CR3116
	)	
Plaintiff,	)	<b>MEMORANDUM</b>
vs.	)	<b>AND ORDER</b>
	)	
JOSE HERNANDEZ and	)	
URIEL HERNANDEZ RUIZ,	)	
	)	
Defendants.	)	

This matter is before the court on a report and recommendation by Magistrate Judge Piester (filing 34), recommending denial of Defendants' motions to suppress (filings 18 and 21). A statement of objections to the report and recommendation has been filed by Defendant Uriel Hernandez Ruiz (filing 36).<sup>1</sup>

I have conducted a de novo review of the record. I find that inasmuch as the Magistrate Judge has fully, carefully, and correctly found the facts and applied the law, the report and recommendation should be adopted and Defendants' motions to suppress should be denied in all respects.

IT IS ORDERED that:

1. the Magistrate Judge's report and recommendation (filing 34) is adopted.

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<sup>1</sup> Although I have considered the objections, this filing was not timely under 28 U.S.C. § 636(b)(1) and NECrimR 57.3.

2. Defendants' motions to suppress (filings 18 and 21) are denied in all respects.
3. Defendant Uriel Hernandez Ruiz's objections (filing 36) are denied.

January 23, 2006.

BY THE COURT:

s/ *Richard G. Kopf*  
United States District Judge